

**Notice of Allowability**

Application No.

10/539,919

Examiner

Patrick F. O'Reilly III

Applicant(s)

HONDMANN ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment dated November 28, 2007.
2. ☒ The allowed claim(s) is/are 14-17, 19-26, 34 and 35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>2/5/2008</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____  |

*Patrick F. O'Reilly III*

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Russell W. Warnock, Attorney for Applicant, on February 5, 2008.

2. The claims have been amended as follows:

**Claim 13** has been cancelled.

In **claim 14**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

In **claim 15**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

In **claim 16**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

In **claim 17**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

In **claim 20**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

In **claim 23**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

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In **claim 24**, line 1, claim number "13" has been deleted and claim number --34-- has been added in its place;

**Claims 27-33** have been cancelled.

Add the following new **claim 34**:

34. A housing for an extractor hood, comprising:
- at least one ventilator container for containing therein a ventilator device operable to impart motion to steam and other gaseous fluid wherein the housing serves as a housing for at least part of said ventilator container and the housing is operable for receiving and guiding steam and other gaseous fluid to said ventilator container with said ventilator container being disposed at least partly in said housing and a portion of said ventilator container forming one section of an external wall of said housing; and
- two generally L-shaped side walls with each of said side walls having a bent region and an upper edge, said L-shaped side walls being removably attached to said one section of the external wall of said housing and spaced apart by a portion of said ventilator container and wherein said bent region of each said side wall forms a section of the top of said housing and is in engagement with at least one region of said ventilator container via a form-locking connection.

Add the following new **claim 35**:

35. A housing for an extractor hood, comprising:
- at least one ventilator container for containing therein a ventilator device operable to impart motion to steam and other gaseous fluid wherein the housing serves as a housing for at least part of said ventilator container and the housing is operable for receiving and

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guiding steam and other gaseous fluid to said ventilator container with said ventilator container being disposed at least partly in said housing and a portion of said ventilator container forming one section of an external wall of said housing; and

two side walls, at least one of said side walls having a bent region at its upper edge, said bent region of said side wall forming a section of the top of said housing and said bent region of each said side wall being in engagement with at least one region of said ventilator container, wherein said ventilator container includes a form-locking connection including a body having a recess formed therein for receiving said bent region of said side wall, said body including at least two body portions extending away from said recess to define a receiving area for said bent regions of said side walls.

### **REASONS FOR ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance:

The prior art references, neither alone or in combination, disclose, teach or suggest a housing for an extractor hood having the combination of elements recited in independent claims 34 and 35.

Therefore, with respect to independent claim 34, it would not have been obvious to a person of ordinary skill in the art to provide a housing for an extractor hood with all of the limitations set forth in the claims, as amended by the Examiner's Amendment listed above, - wherein such limitations include: (a) a ventilator container forming one section of an external wall of the hood housing, (b) two generally L-shaped side walls spaced apart by the portion of the ventilator container forming the one section of the external housing, and (c) a form-locking

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connection between one region of the ventilator container and a bent region of each of the side walls.

Moreover, with respect to independent claim 35, it would not have been obvious to a person of ordinary skill in the art to provide a housing for an extractor hood with all of the limitations set forth in the claims, as amended by the Examiner's Amendment listed above, wherein such limitations include: (a) a ventilator container forming one section of an external wall of the hood housing, (b) two side walls, where at least one of the side walls has a bent region forming a top section of the external housing, and (c) a form-locking connection formed by a recess in the body of the ventilator container for receiving the at least one bent region of the side wall.

In regard to dependent claims 14-17 and 19-26, these claims are allowable as being dependent, either directly or indirectly, upon allowable independent claim 34.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick F. O'Reilly III whose telephone number is (571) 272-3424. The examiner can normally be reached on Monday through Friday, 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven B. McAllister can be reached on (571) 272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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STEVE B. MCALLISTER  
PRIMARY EXAMINER

Supervisory Patent